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9	DISTRICT OF NEVADA		
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11	JAMES LEONARD WATERS, JR.,	Case No. 2:21-cv-01719-CDS-EJY	
12	Plaintiff,	Stimulation and Order	
13	v.	Stipulation and Order	
14	THE UNITED STATES OF AMERICA,	(Second Request)	
15	Defendant.		
16			
17	Pursuant to LR IA 6-1 and LR 26-3, the parties request an approximately 90-day		
18	extension of certain discovery deadlines as, and for the reasons, set forth below. This		
19	stipulation, which is filed more than 21 days before the earliest deadline to be extended (for		
20	initial expert disclosures), is supported by grounds and circumstances below. This is the		
21	second request for an extension of the discovery schedule, although the original scheduled		
22	provided some additional time, as discovery commenced from the filing of the discovery		
23	plan rather than Defendant's first appearance.		
24	DISCOVERY	COMPLETED	
25	The parties have completed the following disclosures and discovery:		
26	1. The parties served their initial disclosures in March and April 2022.		
27	2. Defendant served a first set of Requests for Production and Interrogatories		
28	on Plaintiff on March 30, 2022.		

- 3. Plaintiff served responses to such first set of discovery requests on April 22, 2022.
- 4. Plaintiff served a first set of Requests for Production, Requests for Admissions, and Interrogatories on Defendant on July 12, 2022.
- 5. Defendant has noticed several depositions of Defendant's employees for dates in September 2022.
- 6. Defendant is in the process of collecting medical records pursuant to HIPAAs supplied by Plaintiff.

DISCOVERY REMAINING

Defense counsel has identified additional medical providers that may have relevant records. As this occurs, defense counsel will confer with Plaintiff's counsel about additional HIPAAs to facilitate collecting such records.

Defendant will respond to Plaintiff's first set of written discovery requests.

Defense counsel is in the process on confirming defense witnesses' availability for the depositions referenced above, and Plaintiff's counsel will take such depositions on the noticed or other agreed-upon dates.

Initial and rebuttal expert disclosures remain.

The parties reserve the right to engage in other discovery as permitted by applicable rule and within the discovery window including without limitation the depositions of expert witnesses.

WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

Without waiver or admission by the parties, this is a medical malpractice case, and Plaintiff appears to have a complex medical history. It will take more time to identify medical providers and collect records from them. It would be best to complete collection and production of such medical records before expert disclosures. The U.S. Attorney's Office remains very busy, having three unfilled AUSA positions in the relatively small Civil Division.

EXTENSION OF THE DISCOVERY PLAN AND SCHEDULING ORDER

The following table sets forth the current deadlines and the proposed extended deadlines that are the subject of this stipulated request for extension:

SCHEDULED EVENT	CURRENT DEADLINE	PROPOSED DEADLINE
Initial Expert Disclosures	September 1, 2022	December 1, 2022
Rebuttal Expert Disclosure	October 3, 2022	January 4, 2023
Discovery Cut Off	November 1, 2022	February 2, 2023
Dispositive Motions	November 30, 2022	March 3, 2023
Joint Pretrial Order	December 30, 2022	April 3, 2023 ¹

Respectfully submitted this 4th day of August 2022.

LAIRD LAW PLLC	JASON M. FRIERSON United States Attorney
/s/ Danial Laird DANIAL LAIRD, ESQ. Nevada Bar No. 11831 8991 West Flamingo Road, Suite C Las Vegas, NV 89147 Attorney for Plaintiff	/s/ Patrick A. Rose PATRICK ROSE Assistant United States Attorney Attorneys for the United States

IT IS SO ORDERED:

UNITED STATES MAGISTRATE JUDGE

DATED: August 4, 2022

¹ However, if dispositive motions are filed, the proposed joint pretrial order will be due thirty days after the rulings on such dispositive motions.